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KENYON & KENYON
1500 K STREET, N.W., SUITE 700
WASHINGTON, DC 20005

EXAMINER

NGUYEN, CUONG H

ART UNIT PAPER NUMBER

3625

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/240,250

Applicant(s)

Boesch

Examiner

Cuong H. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 11, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-79 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-79 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

DETAILED ACTION

1. This Office Action is the answer to the "Response to Office Action" received on 10/11/2002, which paper has been placed of record.

2. Claims 1-79 are pending in this application.

Response:

3. The examiner submits that http://www.amazon.com from Amazon.com, Inc. has been very well-known to many people. Its history of business operation was backed to 1996 (see attached of related article about Internet archive to see that web-site has been existed and is proper for a prior art). Applicant argues that "the web pages provided by the Examiner depict a printing date of January 28, 2002. Thus, the relevance of these web pages is unclear to the Applicant, since January 28, 2002 is three years after the priority date claimed by the present application", and "... the 16-page example of Amazon.com, Inc.'s web site is not a proper reference under 35 U.S.C. 103(a)". The examiner disagrees for above conclusion; the 16-page example of Amazon.com was printed from examiner's printer on January 28, 2002; it doesn't meant that amazon.com, Inc. business practice is three year after the present application's priority date. In the latest response, there is no argument about the fact that claims' limitations have been well-known according to the Official Notice of the examiner; therefore, the examiner assumes that the

applicant agrees about the Official Notice taken by the examiner is valid.

4. The examiner's opinions about the pending claims are as following:

A. In the claims for "a system" with components or modules or devices etc., only physical structure would be considered as having weights. The examiner submits that in pending claims, particular language does not serve as a limitation on the claim.

B. Since this case is for a utility patent, the claims must be directed to systems, methods or articles of manufacture that have a clear utility. See MPEP 706.03(a) . Over the years, numerous court decisions have analyzed the content of various claimed language for meaningful, useful differences in structure or acts performed between the claims and the prior art. Some of these decision have found that certain language adds little, if anything, to the claimed structure or acts and thus do not serve as a limitation on the claims to distinguish over the prior art.

For example, language directed to an intended use of dispensing popcorn in a claim for a product did not result in a structural or functional difference with respect to prior art and were held not to serve as a limitation on the claim. See in re **Schreiber**, 44 USPQ2d 1429 (CAFC 1997).

C. Thus, a limitation on a claim can broadly be thought of then as its ability to make a meaningful contribution to the definition of the invention in a claim. In other words, language that is not functionally interrelated with the useful acts, structure, or properties of the claimed invention will not serve as a limitation. See in re **Gulack**, 217 USPQ 401 (CAFC 1983), ex parte **Carver**, 227 USPQ 465 (BdPatApp&Int 1985) and in re **Lowry**, 32 USPQ2d 1031 (CAFC 1994) where language provided certain limitations because of specific relationships required by the claims.

D. The subject matter as a whole would be obvious to one of ordinary skill in the art according to cited references and the examiner did examine each pending claim as a whole.

E. On page 4, para.6 (of the response dated 5/08/02), the applicant said "there is no suggestion or motivation" because "to have the merchant (Amazon.com) maintain the consumer's wallet" but this fact (having a merchant maintains a consumer's wallet) was never been distinguished in pending claims. In the next para.#2 of page 5, the use of the words "at least one merchant computer" in claims made the amazon.com's prior art proper although the applicant argues that he meant differently.

F. Re. to claims 1-2: The applicant argues that cited references failed to disclose "at least one consumer information server

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further comprises consumer information server software, wherein the consumer information server software further comprises instructions for forwarding an email message to the at least one consumer computer, and wherein the email message further comprises the proper links for connecting the consumer's web browser to the consumer information server to allow the at least one consumer to begin a registration process," the examiner interprets this limitation as: an information/consumer server, wherein said server comprises instructions for specific purposes (i.e., forwarding a message) (see page 5 of "Reply under 37 CFR 1.111" on 5/08/2002).

The examiner submits that since this is a "system" claim, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises an information server, wherein said server comprises instructions for forwarding a message. Amazon.com (Bezos '411, Bezos '399, Bezos '163) meet that interpretation. G. Re. to claims 5, 6-10: The applicant argues that cited references failed to disclose "merchant computer further comprises web server software ... for forwarding an email message to the at least one consumer computer, wherein the email message further comprises the proper links for connecting the consumers' web browser to a consumer information server to allow the at

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least one consumer to begin a registration process;". (see page 5, para.4 to page 6, para.1 of "Reply under 37 CFR 1.111" on 5/08/2002).

The examiner submits that since these are "system" claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises "a computer comprises web server software ... for forwarding an email message to the at least one consumer computer, wherein the email message further comprises the proper links". **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation; e.g., US Pat. 6,246,996 discloses in claim 15: "A method for a first party operating on behalf of a third party to facilitate conducting transactions over the Internet with a second party, the method comprising the steps of: on a server of a first party, associating a transaction with the second party with a unique transaction identifier; from said server of said first party, sending a first e-mail message to an e-mail address of said second party wherein said first e-mail message includes a response address to which a computer program of said second party can automatically format and send a reply e-mail message and said unique transaction identifier, and further wherein said first e-mail message

includes a message providing choices from which the second party can make a selection regarding said transaction;
from a computer connected to the Internet operated by the second party, receiving said first e-mail message;
from the computer connected to the Internet operated by the second party, operating a program to automatically send a second e-mail message, wherein said second e-mail message is automatically formatted by a program of the second party as a reply e-mail message directed to said response address and including said transaction identifier, and further wherein said second e-mail message includes an indication of a selection from said choices;
on a server of said first party, receiving said second e-mail message directed to said reply e-mail address and including said transaction identifier and said indication of said second party;
and from said server of said first party, initiating processing of said transaction based upon said selection by said second party." ; or US Pat. 5,848,397 discloses:

"The banner advertisement 601 may be interactive. For example, by clicking on a specified portion of the banner advertisement 601, the user may be provided with additional information concerning the subject matter of the banner advertisement 601. Likewise, the user may access an e-mail message template including the e-mail

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address of a vendor associated with the banner advertisement 601 being displayed, so that the user may easily forward comments or requests for additional information. Clicking on the banner advertisement 601 may also cause an e-mail message to be automatically completed (including the message text) and either transmitted immediately to the vendor or stored in an "outbox" for later transmission."; or US Pat. 5,842,178 discloses: "Once vendors are selected to receive RFQs, the RFQ information may be transmitted to them via FTP over the Internet, however, a preferred way would be to provide vendors with software which permits them to schedule when they wish to communicate with the quotation system. In this case, the vendor software would contact the quotation system over the Internet via FTP; the quotation system would interrogate the vendor's product database (using suitable software which links or cross references the vendor's inventory to the quotation system product and services lists) and retrieve pricing and other information necessary to respond to the RFQ; and thereafter prepare e-mail to be sent to the requesting buyer member. FIG. 8 shows one possible arrangement of RFQ data which would be e-mailed to a buyer. In this example a request for quotation is sent for 5,000 OH006-2000656 type J resistors manufactured by Ohmite for delivery by Aug. 1, 1993. The buyer indicates that the delivery date is firm.

Other information such as RFQ date, tracking number and product code are shown. In this case the sender has specified that this request for quotation be routed to vendors in the state of New Jersey USA only. The lower portion of FIG. 6. shows a response from for example Acme Supply, Inc. together with pricing, contact information, delivery and vendor notes indicating that the request can be "Shipped 1000 per box from inventory, subject to prior sale." The e-mail could be configured as HTML pages and read as HTML by the buyer's browser directly or via application helper software provided by the quotation system. One advantage to providing buyers with HTML type e-mail quotations is that hypertext links can be embedded in the quotation along with data about the quotation which would permit the buyer to select a response option directly from the quotation HTML page.";

H. Re. to claims 11, 12-17: The applicant argues that cited references failed to disclose "at least one consumer information server further comprises consumer information server software and at least one consumer information data structure comprising consumer information associated with at least one consumer, wherein the at least one consumer uses the web browser to access the consumer information data structure via the consumer information server and the network to obtain consumer information

which is associated with the at least one consumer;", (see page 6, para.2 of "Reply under 37 CFR 1.111" on 5/08/2002).

The examiner submits that since these are "system" claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

I. Re. to claims 18-20: The applicant argues that cited references failed to disclose "sending an email message over a network, wherein the email message comprises the proper links for connecting at least one consumer computer to at least one consumer information server...", (see page 6, para.3 of "Reply under 37 CFR 1.111" on 5/08/2002).

The examiner submits that since these are "system" claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises". **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

J. Re. to claims 21-34: The applicant argues that cited references failed to disclose "accessing the consumer information stored in a consumer data structure on the consumer information server; and displaying the consumer information to the consumer

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using the consumer's web browser...", (see page 6, para.4 of "Reply under 37 CFR 1.111" on 5/08/2002).

The examiner submits that since these are "system" claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises "...". **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

K. Re. to claims 35-40: The applicant argues that cited references failed to disclose "at least one information server connected to the at least one accessee computer via the network and to the at least one accessor computer via the network, wherein the at least one information server further comprises information server software, wherein the information server software further comprises instructions for forwarding an email message to the at least one accessee computer, and wherein the email message further comprises the proper links for connecting the accessee's web browser to the information server to allow the at least one consumer to begin a registration process", (see page 6, para.5 of "Reply under 37 CFR 1.111" on 5/08/2002).

The examiner submits that since these are "system" claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an

art comprises "...". **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

L. Re. to claims 41-47: The applicant argues that cited references failed to disclose "accessor computer...software...for forwarding an email message to the at least one accessee computer, wherein the email message further comprises the proper links for connecting the accessee's web browser to an information server to allow the at least one accessee to begin a registration process;", see page 7, para. 2 of "Reply under 37 CFR 1.111" on 5/08/2002).

The examiner submits that since these are "system" claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises "...". **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

M. Re. to claims 48-56: The applicant argues that cited references failed to disclose "at least one information server further comprises information server software and at least one accessee information data structure comprising accessee information associated with at least one accessee, wherein the at least one accessee uses the web browser to access the accessee information data structure via the information server and the network to obtain accessee information which is associated with

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the at least one accessee;”, (see page 7, para. 3 of “Reply under 37 CFR 1.111” on 5/08/2002).

The examiner submits that since these are “system” claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises “...”. **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

N. Re. to claims 57-59: The applicant argues that cited references failed to disclose “sending an email message over a network, wherein the email message comprises the proper links for connecting at least one accessee computer to at least one information server; invoking a connection between the at least one accessee computer and the at least one information server using the proper links in the email message; connecting the at least one accessee computer to the at least one information server; invoking a registration process in the information server software; prompting the accessee for registration information; and saving the registration information from the accessee...”, (see page 7, para.4 of “Reply under 37 CFR 1.111” on 5/08/2002).

The examiner submits that since these are “system” claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an

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art comprises "...". **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

O. Re. to claims 60-73: The applicant argues that cited references failed to disclose "establishing accessee information associated with an accessee in an accessee data structure in the at least one information server; accessing the accessee information stored in the accessee data structure on the information server; and displaying the accessee information to the accessee using the accessee's web browser;", (see page 7, para.5 to page 8 para.1 of "Reply under 37 CFR 1.111" on 5/08/2002).

The examiner submits that since these are "system" claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises "...". **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

P. Re. to claims 74-76: The applicant argues that cited references failed to disclose "merchant computer ... software...sends at least one email message to at least one consumer wherein the at least one email message comprises at least one merchant offer and proper links for connecting the consumer's web browser to the consumer information server whereby allowing the at least one

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consumer to complete a purchasing transaction;”, (see page 8, para.2 of “Reply under 37 CFR 1.111” on 5/08/2002).

The examiner submits that since these are “system” claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises “...”. **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

Q. Re. to claim 77: The applicant argues that cited references failed to disclose “sending an email message from a merchant computer to at least one consumer computer, wherein the email message is sent over a network, the email message comprising at least one merchant’s offer and proper links for connecting the consumer’s web browser to the consumer information server; invoking a connection between the at least one consumer computer to at least one consumer information server using the proper links in the email message; and connecting the at least one consumer computer to the at least one consumer information server whereby allowing the at least one consumer to complete a purchasing transaction;”, (see page 8, para.3 of “Reply under 37 CFR 1.111” on 5/08/2002).

The examiner submits that since these are “system” claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an

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art comprises "...". **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

R. Re. to claim 78: The applicant argues that cited references failed to disclose "merchant computer...software...for gathering purchasing information from the at least one consumer and for allowing the at least one merchant to send and receive information over the network, and wherein the merchant...software gathers purchasing information from the at least one consumer, forwards the consumer's purchasing information to the consumer information server if the consumer elects to become a registered consumer, and connects the consumer to the CIS;" (see page 8, para.4 of "Reply under 37 CFR 1.111" on 5/08/2002).

The examiner submits that since these are "system" claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises "...". **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

S. Re. to claim 79: The applicant argues that cited references failed to disclose "sending the gathered purchasing information and proper links for connecting at least one consumer computer to at least one consumer information server if the consumer elects to become a registered consumer; invoking a connection between the at least one consumer computer to at least one consumer

information server using the proper links; connecting the at least one consumer computer to the at least one consumer information server; prompting the consumer for registration information; and saving the registration information from the consumer." (see page 9, para.2 of "Reply under 37 CFR 1.111" on 5/08/2002).

The examiner submits that since these are "system" claims, above limitation is essential for weighting in that claimed system, additional information in said claims are obvious if an art comprises "...". **Amazon.com (Bezos '411, Bezos '399, Bezos '163)** meet that interpretation.

5. Note: MS Computer Dictionary, 3rd edition, 1997 defines that wallet PC is a pocket-size portable computer designed to function like a wallet, carrying "virtual" versions of one's identification, money, credit cards, and other essentials, as well as a mobile information source and communications tool; according to this definition, the "wallet PC" (a main subject matter) of this invention is not in pending claims; and

- cookie: is well-known to be used when a user returns to the same Web site, the browser sends a copy of the cookie back to the server; cookies are used to identify users, to instruct the server to send a customer version of the requested Web page to

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submit account information for the user, and for other administrative purposes.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims ... are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims called for an article of manufacture (i.e., a computer-readable medium); however, above claims are directed to methods combining with an article of manufacture (process and product in a same claim), their limitations are not conforming to the required claim's format (See *Ex parte Lyell*, 17 USPQ2d 1548 - Bd. Pat.Appl & Inter. 1990).

According to *Ex parte Lyell*, these claims are held to be ambiguous and properly rejected under 35 USC 112, 2nd para.; such claims are also be rejected under 35 USC 101 based on the theory that these claims are directed to neither a "process" nor a "article of manufacture" but rather embraces or overlaps two different statutory classes of invention set forth in 35 USC 101

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which is drafted so as to set forth the statutory classes of invention in the alternative only.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

- (a) *A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

6. Claims 1-79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over **amazon.com, Inc.** in view of the Official Notice.

After examine pending claims, the examiner submits that besides well-known claims' limitations, the only "arguable" limitation in independent claims describing: sending a message to a server, that server would forward said message comprising a computer address, then "automatically" access that address. This limitation has been done in computer processing, (that limitation is the only feature in claims that the examiner think to be the

main idea for these pending claims) because instead of putting a computer address in an email, user can type in "GO TO" block to access that same address OR the same method has been INHERENTLY DONE by a server. Such claims' limitations have been widely used in Internet accessing (specifically amazon.com 's applications), and those Internet widely used features are very convenient for the users because it directly let the user immediately access wanted computer's sites. (Another example is a server let user access to its site, then inside the server there are address that matches the user's need, then the user only need to "click" to activate said wanted computer address). Moreover, 35 USC 103(a) rejections are proper for using submitted IDS to reject pending claims 1-79 with that very broad claimed languages; those references determine that what the applicant is seeking to claim is not inventive.

According to claims' structure, there are 3 separate components: consumer's computer, information server, and merchant's computer. These components are connected by networks (well-known), and exchanging information (emails, messages .etc.); the examiner submits that there is nothing inventive of claiming this configuration according to prior art.

Conclusion

7. Claims 1-79 are not patentable.

8. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action.

In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. These cited references are considered pertinent to pending claims' limitations:

- **Hartman** et al. (US Pat. 5,960,411 with a filing date of 9/12/1997) disclose a method and a system for placing an order to purchase an item via the Internet. The order is placed by a purchaser at a client system and received by a server system. The server system receives purchaser information including identification of the purchaser, payment information, and shipment information from the client system. The server system then assigns a client identifier to the client system and

associates the assigned client identifier with the received purchaser information. The server system sends to the client system the assigned client identifier and an HTML document identifying the item and including an order button. The client system receives and stores the assigned client identifier and receives and displays the HTML document. In response to the selection of the order button, the client system sends to the server system a request to purchase the identified item. The server system receives the request and combines the purchaser information associated with the client identifier of the client system to generate an order to purchase the item in accordance with the billing and shipment information whereby the purchaser effects the ordering of the product by selection of the order button.

- **Conklin et al.** (US Pat. 6,141,653 with priority date of 11/16/98 - publishing date: 10/31/00) disclose a system for iterative, multivariate negotiations over a network wherein a multivariate negotiations engine for iterative bargaining which enables a sponsor to create and administer a community between participants such as buyers and sellers having similar interests; allows a buyer/participant to search and evaluate seller information, propose and negotiate orders and counteroffers that include all desired terms, request sample quantities, and track activity; allows a seller/participant to use remote authoring

templates to create a complete Website for immediate integration and activation in the community, to evaluate proposed buyer orders and counteroffers, and to negotiate multiple variables such as prices, terms, conditions etc., iteratively with a buyer. The system provides secure databases, search engines, and other tools for use by the sponsor, which enable the sponsor to define the terms of community participation, establish standards, help promote the visibility of participating companies, monitor activity, collect fees, and promote successes. All this is done through a multivariate negotiations engine system operated at the system provider's Internet site, thus requiring no additional software at the sponsors', or participant sellers', or buyer's sites. This also allows buyers and sellers to use and negotiate payment options and methods that are accepted internationally. The system maintains internal databases that contain the history of all transactions in each community, so that sponsors, buyers and sellers may retrieve appropriate records to document each stage of interaction and negotiation. Documents are created by the system during the negotiation process.

- **Breed et al.** (US Pat. 6,067,528 - May 23, 2000) disclose a confidential market making system wherein a system for allowing users to present themselves to an on-line market with a number of

information "veils" which, upon removal, reveal increasing levels of confidential information relating to the business being sold (if a seller) or sought (if a buyer). As prospective buyers (or sellers) consider entering into negotiations with prospective sellers (or buyers), the parties remove the veils one at a time, sequentially affording each complete control over the rate, quantity, and nature of information revealed to the other. The communications are specific between two parties and either party can terminate the communication at any point in the process. Each step is controlled by the user, but executed through the central CBeX System. All veil information concerning system users is directly loaded by the users into the system.

- **Barnes et al.** (US Pat. 5,970,475 - October 19, 1999)
disclose an electronic procurement system and a method for trading partners wherein an Electronic Commerce system enables corporate purchasers and suppliers to electronically transact for the purchase and supply of goods/services. The system includes three major hardware and software components: buyer, supplier and bank/administration. To enable suppliers to supply goods and services online and process electronic orders, several software components are used for operating a supplier processor server and a supplier catalog server. To enable corporate purchasers to purchase products and services online, preferably over the

Internet, from suppliers, software is used for operating a customer server to which multiple users may log-on and access the supplier server. An Automated Clearing House (ACH) server may be used to interface with a bank's (ACH) systems. A service bureau that supplies the hardware and/or software components and assists to administer the system includes a transaction counter, which records transactions and charges the buyers and/or suppliers based on the number of purchase orders and/or invoices issued. Although the present invention has been described in relation to particular embodiments thereof, many other variations, modifications and other uses will become apparent in those skilled in the art. It is preferred that the present invention be limited not by the specific disclosure herein, but by the scope of the appended claims.

- **Boesch** et al., (US Pat. 6,092,053 - 7/18/2000) disclose a system and a method for merchant invoked electronic commerce; wherein a system and method for merchant invoked electronic commerce allowing consumers to purchase items over a network and merchants to receive payment information relating to the purchases. The system includes a server having software which gathers the purchasing information from a consumer to complete a purchasing transaction over a network. The system has a consumer

data structure that stores purchasing information for registered consumers. The software is able to access the consumer data structure and enter the consumer's purchasing information during subsequent purchases. Having the software obtain and enter the consumer's purchasing information, the consumer does not have to enter the same information every time they purchase an item over the network. In alternate embodiments, the same technology can be applied to other arenas where a user may have to enter the same repetitive information.

- **Sloo**, (US Pat. 5,668,953 - 9/16/1997) discloses a method and an apparatus for handling a complaint; wherein a method and apparatus for handling a complaint and associated response in a computer by way of a telecommunications network is provided. The complaint handling method includes the steps of receiving a complaint, notifying the subject of the complaint, receiving a response to the complaint from the subject, and storing the complaint and associated response on a publicly accessible computer bulletin board.

- **Kramer** (US Pat. 6,002,767 - 12/14/1999) discloses a system, a method, and an article of manufacture for a modular gateway; wherein, a Secure transmission of data is provided between a plurality of computer systems over a public communication system, such as the Internet. Secure transmission of data is provided

from a customer computer system to a merchant computer system, and for the further secure transmission of payment information regarding a payment instrument from the merchant computer system to a payment gateway computer system. The payment gateway system evaluates the payment information and returns a level of authorization of credit via a secure transmission to the merchant which is communicated to the customer by the merchant. The merchant can then determine whether to accept the payment instrument tendered or deny credit and require another payment instrument. An architecture that provides support for additional message types that are value-added extensions to the SET protocol is provided by a preferred embodiment of the invention. A server communicating bi-directional with a gateway is disclosed. The server communicates to the gateway over a first communication link, over which all service requests are initiated by the server. The gateway uses a second communication link to send service signals to the server. In response to the service signals, the server initiates transactions to the gateway or presents information on an a display device.

- **Perkowski** (US Pat. 5,950,173 - 9/07/1999) discloses a system and a method for delivering consumer product related information to consumers within retail environments using Internet-based information servers and sales agents wherein, a system and method

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are disclosed for finding and serving consumer product-related information over the Internet to consumers in retail shopping environments, as well as at home and work, and on the road. The system includes Internet information servers which store information pertaining to Universal Product Number (e.g. UPC number) preassigned to each consumer product registered with the system, along with a list of Uniform Resource Locators (URLs) that point to the location of one or more information resources on the Internet, e.g. World Wide Web-sites, which related to such registered consumer products. Upon entering the UPC number into the system using a conventional Internet browser program running on any computing platform or system, the menu of URLs associated with the entered UPC number is automatically displayed for user selection. The displayed menus of URLs are categorically arranged according to specific types of product information such as, for example: product specifications and operation manuals; product wholesalers and retailers; product advertisements and promotions; product endorsements; product updates and reviews; product warranty/servicing; related or complementary products; product incentives including rebates, discounts and/or coupons; manufacturer's annual report and 10K information; electronic stock purchase; etc. Web-based techniques are disclosed for collecting the UPC/URL information from manufacturers and

transmitting the same to the Internet-based databases of the system.

- **Mital** (US Pat. 5,903,652 - 5/11/1999) discloses a system and an apparatus for monitoring secure information in a computer network; wherein, a secure transaction system apparatus and method provide for the auditing of secure messages in a computer network. The secure transaction system includes an electronic commerce service which is in communication with multiple consumer computers and multiple merchant computers. The consumer computers initiate consumer transactions between the consumer computers and the merchant computers. Each consumer transaction can include different items, different merchants, different shipping methods and different payment instructions. An order object within the consumer computer stores summaries about the different items, the different merchants, the different shipping methods and different payment instructions during creation of each commercial transaction. While generating transaction data, the consumer computer also generates related audit data. The consumer computers encrypt the transaction data and the audit data into different encryption formats and send the encrypted transaction data and the encrypted audit data to the electronic commerce service. The electronic commerce service decrypts the audit data and stores copies of the encrypted transaction data. The

electronic commerce service also routes the encrypted transaction data to the merchant computers. The merchant computers decrypt the encrypted transaction data and complete the desired commercial transaction. Thus, the electronic commerce service can audit secure transactions while maintaining confidentiality.

- **Moen et al.** (US Pat. 5,864,604 - 1/26/1999) disclose a method of providing message service for limited access telecommunications; wherein, the present invention is directed to a method of operating a telecommunications system for providing a message service to a plurality of end users. Existing telecommunications lines in conjunction with a telecommunications network system such as the Internet, Intranet, Extranet or similar environment is utilized. A computerized system can be used to establish a billing system for sponsors and to form an account for each sponsor purchasing subsequent usage relating to a site address. The method also includes distributing a user unit to each of a plurality of end users for accessing the site address. Each user unit is given the site address, and at least one unique personal identification number. In connection with said billing system, the computerized system is programmed to permit a call of a preset message limit to be made by each end user to the site address provided. This is based on the distributed user unit and accessed only by the unique personal

identification number provided to the end user. In response to an end user accessing the site address, a predetermined message is provided in accordance with the preset message limit. The messages record of each consumed user unit is captured by the computerized system and can be used by the sponsor for database marketing. The session is terminated and an appropriate amount is charged to the account of the sponsor.

- **Teper et al.** (US Pat. 5,815,665 - 9/29/1998) disclose a system and a method for providing trusted brokering services over a distributed network; wherein, an Online Brokering Service provides user authentication and billing services to allow users to anonymously and securely purchase online services from Service Providers (SP) sites (e.g., World Wide Web sites) over a distributed public network, which may be an untrusted public network such as the Internet. Users and SP sites initially register with the Brokering Service, and are provided with respective client and server software components for using the Brokering Service. In one embodiment, when a user initially connects to an SP site, the SP site transmits a challenge message over the public network to the user computer, and the user computer generates and returns a cryptographic response message (preferably generated using a password of the user). The SP site then passes the response message to the Brokering Service, which

in-turn looks up the user's password and authenticates the response message. If the response message is authentic, the Online Brokering Service transmits an anonymous ID to the SP site, which can be used for subsequently billing the user. In addition, the Online Brokering Service transmits user-specific access rights data to the SP site, allowing the SP site to customize its services for the particular user. Billing events generated by the SP sites are transmitted to the Brokering Service, which maintains a user-viewable bill that shows all charges from all SP sites accessed by the user. Advantageously, the payment information (e.g., credit card number) and other personal information of users are not exposed to the SP sites, and are not transmitted over the distributed network.

Shane ,US Pat. 5,793,972 8/11/1998 System and method for providing an interactive response to direct mail by creating personalized web page based on URL provided on mail piece; wherein a system for providing an interactive response to direct mail programs comprises a recipient database, a mail generator, and a web server computer operationally connected through the Internet to remote computers accessible by direct mail recipients. The recipient database stores data records containing addressing information such as the name, mail, fax or e-mail address, and a unique personal identification code for each

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direct mail recipient. The mail generator retrieves recipient data from the database and generates a multiplicity of direct mail pieces each displaying the name, address, and a uniform resource locator containing the personal identification code for one recipient. A responding recipient accesses the web server computer by entering the uniform resource locator displayed on the direct mail piece into a web browser on a remote computer. The web server computer retrieves recipient data from the recipient database correlated to the personal identification code contained in the uniform resource locator and uses this recipient data to create a unique interactive web page.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cuong H. Nguyen whose telephone number is 703-305-4553. The examiner can normally be reached on Mon.-Fri. from 7:15 AM to 3:15 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins, can be reached on (703)308-1344.

Any response to this action should be mailed to:

Amendments

*Commissioner of Patents and Trademarks
Washington D.C. 20231*

or faxed to:

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(703)305-7687 [Official communications; including

After Final communications labeled "Box AF"]

703-746-5572 (RightFax) Informal/Draft communications,
labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park
5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

Any inquiry of a general nature or relating to the status of
this application or proceeding should be directed to the
Receptionist whose telephone number is (703)308-1113.

Cuonghuy Nguyen

Primary Examiner
Dec. 27, 2002